



Docket No. BAF-11803/29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ferree

Serial No.: 10/630,445

Group Art Unit: 3731

Filed: July 30, 2003

Examiner:

For: METHODS AND APPARATUS FOR TREATING DISC HERNIATION AND  
PREVENTING THE EXTRUSION OF INTERBODY BONE GRAFT

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING  
OF FIRST OFFICE ACTION (37 CFR 1.97(b))**

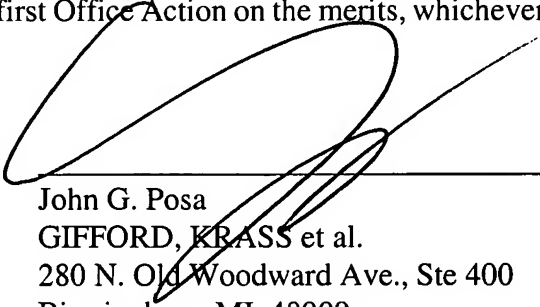
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: April 22, 2004

Reg. No.: 37,424

Tel. No.: 734/913-9300

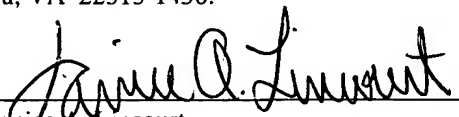
  
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: April 22, 2004

  
\_\_\_\_\_  
Janice A. Lincourt



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the references listed on attached Form PTO-1449 be considered by the Examiner and made of record. An Information Disclosure Statement for U.S. Patents and Foreign Patents was previously filed on April 15, 2004. Copies of the first four cited publications in the attached Information Disclosure Citation were provided in the parent patent application, U.S. Patent Application Ser. No. 09/638,241, and therefore copies are not required with this Supplemental Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possible material information as defined in 37 C.F.R. §1.56(a) exists. In accordance with 37 C.F.R. §1.97(h) this Information Disclosure Statement is not to be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

Respectfully submitted,

By

John G. Posa  
Reg. No. 37,424

Date: April 22, 2004

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.

BAF-11803/29

SERIAL NO

10/630,445

FERREE

FILING

7/30/03

GROUP

3731

APR 26 2004

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Orthopedics Today, July 2000

"Proceedings 14<sup>th</sup> Annual Meeting" North American Spine Society, October 1999

"Proceedings 13<sup>th</sup> Annual Meeting" North American Spine Society, October 1998

Haldimann, System for Repairing Inter-Vertebral Discs, 12/26/2002, US 2002/0198599 A1 (abandoned)

Goel, V.K., et al, "Mechanical Properties of Lumbar Spinal Motion Segments as Affected by Partial Disc Removal," *Spine*, 11 (10): 1008-1012, (1986)

Ahlgren, B.D., et al, "Anular Incision Technique on the Strength and Multidirectional Flexibility of the Healing Intervertebral Disc," *Spine*, 19 (8): 948-954, (1994)

Barr, J.S., "Ruptured Intervertebral Disc and Sciatic Pain," *J. of Bone and Joint Surgery*, 29, (2): 429-437, (1947)

Postacchini, F., "Spine Update Results of Surgery Compared With Conservative Management for Lumbar Disc Herniations," *Spine*, 21 (11): 1383-1387, (1996)

Rogers, L.A., "Experience with Limited versus Extensive Disc Removal in Patients Undergoing Microsurgical Operations for Ruptured Lumbar Discs," *Neurosurgery*, 22 (1): 82-85, (1988)

Brinckmann, P., et al., "Change of Disc Height, Radial Disc Bulge, and Intradiscal Pressure From Discectomy An in Vitro Investigation on Human Lumbar Discs," *Spine*, 16 (6): 641-646, (1991)

Balderston, R.A., et al., "The Treatment of Lumbar Disc Herniation: Simple Fragment Excision Versus Disc Space Curettage," *J. of Spinal Disorders*, 4 (1): 22-25 (1991)

Hanley, E.N., Jr., et al., "The Development of Low-Back Pain after Excision of a Lumbar Disc," *J. of Bone and Joint Surgery*, 71A (5): 719-721, (1989)

Tulberg, T., et al. "Incision of the Annulus Fibrosus Induces Nerve Root Morphologic, Vascular, and Functional Changes," *Spine*, 18 (7): 843-850, (1993)

Heggeness, M.H., et al., "Discography of Lumbar Discs After Surgical Treatment for Disc Herniation," *Spine*, 22 (14): 1606-1609, (1997)

Kayama, S., et al, "Incision of the Anulus Fibrosus Induces Nerve Root Morphologic Vascular, and Functional Changes," *Spine*, 21 (22): 2539-2543, (1996)

Yasargil, M.G., "Microsurgical Operation of Herniated Lumbar Disc," p. 81.

Tibrewal, S.B., et al., "Lumbar Intervertebral Disc Heights in Normal Subjects and Patients with Disc Herniation," *Spine*, 10 (5): 452-454, (1985).

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.